

TO: Clerk's Office

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL

UNITED STATES OF AMERICA

-v.-

PAVEL ROSCA

25-MJ- 68

Docket Number

SUBMITTED BY: Plaintiff Defendant DOJ ☒

Name: Stephen H. Petraeus

Firm Name: USAO-EDNY

Address: 271-A Cadman Plaza East

Brooklyn, New York 11201

Phone Number: (718) 254-6352

E-Mail Address: stephen.petraeus@usdoj.gov

INDICATE UPON THE PUBLIC DOCKET SHEET: YES NO ☒
If yes, state description of document to be entered on docket sheet:



A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: _____

Judge/Magistrate Judge: _____

Date Entered: _____

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

Ongoing criminal investigation; risk of flight

ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE,
AND MAY NOT BE UNSEALED UNLESS ORDERED BY
THE COURT.

DATED: Brooklyn, NEW YORK

2/26/25 Robert Levy

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE

DATE

MANDATORY CERTIFICATION OF SERVICE:

A.) A copy of this application either has been or will be promptly served upon all parties to this action, B.) Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) ☒ This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

02/26/2025

DATE

Stephen H. Petraeus

SIGNATURE

PP:SHP
F. #2025R00105

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

PAVEL ROSCA,

Defendant.

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR AN ARREST WARRANT

(8 U.S.C. § 1326(b)(2))

25-MJ-⁶⁸_____

----- X

EASTERN DISTRICT OF NEW YORK, SS:

VICTOR ROSARIO, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to the law and acting as such.

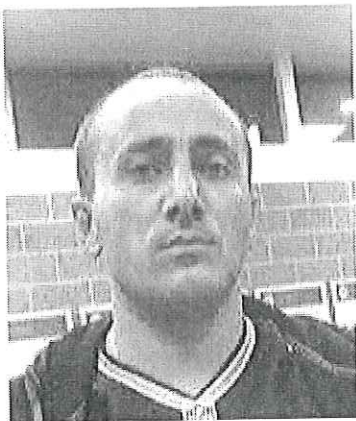
On or about November 20, 2024, within the Eastern District of New York and elsewhere, the defendant PAVEL ROSCA, being an alien who had previously been arrested and convicted of an aggravated felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(b)(2))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with HSI and have been involved in the investigation of numerous cases involving illegal reentry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the United States Immigrations and Customs Enforcement ("ICE") and HSI investigative files, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about November 20, 2024, the defendant PAVEL ROSCA's vehicle was stopped by officers from the New York City Police Department ("NYPD") for failure to yield. I have reviewed the body-worn camera footage from the traffic stop, and positively identified the subject of the stop as ROSCA. A comparison of a known image of ROSCA from an immigration encounter in 2016 and an image of the subject of the stop, who provided his name as "Pavel Harea," are below:



¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

3. I am also aware that the defendant PAVEL ROSCA has previously utilized the alias "Pavel Harea" in an attempt to evade law enforcement. On or about February 7, 2023, an individual who provided the name "Pavel Harea" was arrested by New Jersey State Police, charged with one count of Falsifying Records and one count of Falsely Embossing a Purported Credit Card. On or about February 8, 2023, an ICE detainer was filed against "Pavel Harea" after the biometric fingerprint for "Pavel Harea" taken in connection with his arrest matched ROSCA. "Pavel Harea" (who was, in actuality, ROSCA) was later released from the Middlesex County Jail in New Jersey after state authorities did not comply with the ICE detainer. ROSCA never reported to his court hearing for the New Jersey State Police charges and a warrant was issued for his arrest on October 23, 2024. A photograph of ROSCA taken at the time of his February 2023 arrest is below:



4. On or about December 23, 2024, HSI agents observed the defendant PAVEL ROSCA at John F. Kennedy International Airport in Queens, New York. This identification was based on the agents' prior review of photographs of the defendant in his alien

file and from photographs in law enforcement databases regarding his prior criminal convictions described below.

5. On or about February 19, 2025, an HSI Task Force Officer (“TFO”) observed the defendant PAVEL ROSCA at a Bank of America ATM located at 2022 Avenue U, Brooklyn, NY 11229. The TFO observed ROSCA leave the Bank of America location and enter the driver’s side of a vehicle. This identification was based on the agents’ prior review of photographs of the defendant in his alien file and from a review of the body-worn camera footage described above.

6. According to criminal history and immigration databases, the defendant PAVEL ROSCA is a citizen of Moldova, has an aggravated felony conviction, and has previously been deported from the United States. Specifically, I found that ROSCA was convicted on or about March 15, 2012, of Conspiracy to Commit Access Device Fraud, in violation of 18 U.S.C. §§ 1029(a)(1), (a)(4), and (b)(2), in the United States District Court for the District of Maryland. As part of his agreement to plead guilty, ROSCA stipulated that the loss resulting from his scheme exceeded \$10,000. ROSCA was sentenced to time served on or about May 10, 2012, was ordered removed on or about June 5, 2012, and was removed from the United States on or about June 14, 2012.

7. On or about October 30, 2016, the defendant PAVEL ROSCA attempted to enter the United States from Mexico through the San Ysidro Port of Entry by presenting an altered U.S. passport. Immigration officials suspected that ROSCA was not the proper owner of the passport. ROSCA subsequently admitted that he was not a citizen of the United States and had been previously deported in 2012. ROSCA was found inadmissible, and an order of

removal was entered against him on or about November 2, 2016. ROSCA was subsequently deported on or about December 22, 2016.

8. A search of immigration records has revealed that there exists no request by the defendant PAVEL ROSCA for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant PAVEL ROSCA be dealt with according to law.

I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, and change patterns of behavior.

/s/ Victor Rosario

VICTOR ROSARIO
Special Agent
United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me via telephone on this
26th day of February, 2025

Robert Levy

THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK